

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

<u>Brady Skinner, et al.</u>	:	
	:	Case No. 3:08-cv-0011
Plaintiff(s),	:	District Judge <u>Walter Herbert Rice</u>
	:	Magistrate Judge _____
vs.	:	
<u>The New York Times Co., Inc., et al.</u>	:	RULE 26(f) REPORT OF PARTIES
	:	(to be filed not later than seven (7)
Defendant(s).	:	days prior to the preliminary
	:	pretrial conference)

1. Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on April 3, 2008,
and was attended by:

Steven K. Dankof, Sr., counsel for plaintiff(s) All Plaintiffs

_____, counsel for plaintiff(s) _____

_____, counsel for plaintiff(s) _____

Sherri Blank Lazear, counsel for defendant(s) All Defendants

Louis Colombo, counsel for defendant(s) All Defendants

_____, counsel for defendant(s) _____

_____, counsel for defendant(s) _____

2. The parties:

- ☐ have provided the pre-discovery disclosures required by Fed. R. Civ. P. 26(a)(1), including a medical package (if applicable).
- ☒ will exchange such disclosures 30 days after this Court's ruling on Defendants' 2/12/08 Motion to Dismiss ("Defendants' pending motion")*
- ☐ are exempt from disclosure under Fed. R. Civ. P. 26(a)(1)(E).

3. The parties:

- ☐ unanimously consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636(c).
- ☒ do not unanimously consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636 (c).
- ☐ unanimously give contingent consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636(c), for trial purposes only, in the event that the assigned District Judge is unavailable on the date set for trial (e.g., because of other trial settings, civil or criminal).

4. Recommended cut-off date for filing of motions directed to the pleadings:

45 days after this Court's ruling on Defendants' pending motion.

5. Recommended cut-off date for filing any motion to amend the pleadings and/or to add additional parties: 45 days after this Court's ruling on Defendants' pending motion.

6. Recommended discovery plan:

- a. Describe the subjects on which discovery is to be sought and the nature, extent and scope of discovery that each party needs to: (1) make a settlement evaluation, (2) prepare for case dispositive motions and (3) prepare for trial:

The parties have already voluntarily exchanged certain discovery relating to Defendants' pending motion. Following this Court's ruling regarding Defendants' pending motion, the parties will revisit the subject of any additional discovery needed at that time.

*Pursuant to this Court's 3/19/08 Order, Plaintiffs' date to respond to Defendants' pending motion has been extended until 5/15/08.

b. What changes should be made, if any, in the limitations on discovery imposed under the Federal Rules of Civil Procedure or the local rules of this Court, including the limitations to 25 interrogatories/requests for admissions and the limitation of 10 depositions, each lasting no more than one day consisting of seven (7) hours?

To be determined after this Court's ruling on Defendants'

pending motion.

c. Additional recommended limitations on discovery:

To be determined after this Court's ruling on Defendants'

pending motion.

d. Recommended date for disclosure of lay witnesses.

To be determined after this Court's ruling on Defendants' pending motion.

e. Describe the areas in which expert testimony is expected and indicate whether each expert has been or will be specifically retained within the meaning of Fed. R.

Civ. P. 26(a)(2).

To be determined after this Court's ruling on Defendants'

pending motion.

f. Recommended date for making primary expert designations:

To be determined after this Court's ruling on Defendants' pending motion.

g. Recommended date for making rebuttal expert designations:

To be determined after this Court's ruling on Defendants' pending motion.

h. The parties have electronically stored information in the following formats:

The case presents the following issues relating to disclosure or discovery of electronically stored information, including the form or forms in which it should be produced:

To be determined after this Court's ruling on Defendants' pending

motion.

i. The case presents the following issues relating to claims of **privilege or of protection as trial preparation materials**:

To be determined after this Court's ruling on Defendants'

pending motion.

Have the parties agreed on a procedure to assert such claims **AFTER** production?

 X No

 Yes

 Yes, and the parties ask that the Court include their agreement in an order.

j. Recommended discovery cut-off date: TBD after this Court's ruling on
Defendants' pending motion.

6. Recommended dispositive motion date: TBD after this Court's ruling on
Defendants' pending motion.

7. Recommended date for status conference (if any): TBD after this Court's ruling on
Defendants' pending motion.

8. Suggestions as to type and timing of efforts at Alternative Dispute Resolution:

To be determined after this Court's ruling on Defendants'

pending motion.

9. Recommended date for a final pretrial conference: TBD after this Court's ruling on
Defendants' pending motion.

Parties have had preliminary discussions
regarding settlement

10. Has a settlement demand been made? _____ A response? _____

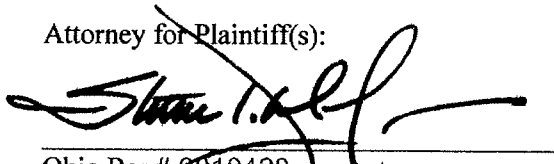
Date by which a settlement demand can be made: May 15, 2008

Date by which a response can be made: _____


11. Other matters pertinent to scheduling or management of this litigation:

Signatures:

Attorney for Plaintiff(s):


Ohio Bar # 0010428
Trial Attorney for Plaintiffs

Attorney for Defendant(s)


Ohio Bar # 0025711
Trial Attorney for Defendants

Ohio Bar #
Trial Attorney for

Ohio Bar #
Trial Attorney for

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